



Appeal Decision

Site visit made on 1 June 2011

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 July 2011

Appeal Ref: APP/T5150/A/11/2148075
91 Dyne Road, London NW6 7DR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Debbie Yap against the decision of the Council of the London Borough of Brent.
 - The application Ref 10/2058, dated 29 July 2010, was refused by notice dated 24 September 2010.
 - The development proposed is external insulation to side and rear elevations, two-storey rear extension at lower and upper ground-floor level, creation of a sunken garden terrace and upper ground-floor balcony, insertion of side rooflight, enlargement of 2 existing rear dormer windows, replacement of roof tiles and insulation to side and rear roof, raising its height, installation of solar panel to roof, creation of vehicular access and formation of hard and soft landscaping to front, and reversion to dwellinghouse.
-

Decision

1. I allow the appeal, and grant planning permission for external insulation to side and rear elevations, two-storey rear extension at lower and upper ground-floor level, creation of a sunken garden terrace and upper ground-floor balcony, insertion of side rooflight, enlargement of 2 existing rear dormer windows, replacement of roof tiles and insulation to side and rear roof, raising its height, installation of solar panel to roof, creation of vehicular access and formation of hard and soft landscaping to front, and reversion to dwellinghouse at 91 Dyne Road, London NW6 7DR in accordance with the terms of the application, Ref 10/2058, dated 29 July 2010, subject to the conditions set out in the attached schedule.

Procedural matters

2. I use the Council's description of development which is more extensive than on the application forms.
3. I am determining this appeal on the plans considered by the Council and not amendments submitted by the appellant during the course of the appeal.

Main issue

4. I consider the main issue to be the effects of the proposal on the character and appearance of the host dwelling and the locality.

Reasons

5. The appeal property is an early 20th century semi-detached house, in a street of similar properties creating a pleasant residential character. It has an

ornate and attractive front elevation and a more austere and plain rear elevation. The house backs on to a rail line screened by vegetation and at lower level. Part of the rear of the premises is open to glimpses from the nearby main road (Willesden Lane) lying at right angles to the south west along with its associated bridge over the railway. The side elevation is largely screened from view by the proximity of the adjoining dwelling.

6. The proposal, as noted above, is extensive. However by reason of a previous planning permission (ref 10/1221, dated 23 July 2010) the great majority of the list of works has been approved by the Council. The addition to this approved scheme relates to the proposed external cladding of the flank and rear walls by use of insulating material with a render type finish. It is this work which is of concern to the Council. Having considered all relevant issues including, amongst other matters, the planning history, living conditions for neighbours, the principle of a single family dwelling and the character and appearance of the property and the wider area, I am satisfied that I need only concern myself with this external cladding; the other elements are non controversial and there is a fall-back status for them.
7. The site lies within the North Kilburn Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The Brent Unitary Development Plan 2004 (UDP) includes policy STR 16 which broadly reflects S72(1). UDP policy BE26 calls for particular care to achieve sympathetic alterations and extensions in Conservation Areas and draws attention to the need to consider any relevant design guidance. More generally UDP policy BE9 seeks architectural quality and, amongst other matters, underlines the need for development to be appropriate to its setting, respect though not necessarily replicate, adjoining development and employ suitable materials for the context.
8. As previously indicated, the side elevation sits very inconspicuously. The proposal would see the cladding stopping well short of the front corner of the building. The projection of the cladding would be hardly discernable from the road and in any event the adjoining property has a projection in its brickwork construction; sides locally are not all flat elevations. Furthermore, a rendered or part rendered finish for an elevation would not be unique in this area as properties opposite make some use of this finish.
9. Turning to the rear elevation, the Council is right that the upper level of this can be viewed from Willesden Lane and is set amidst a scene of brick dwellings. I do not see a render finish as being intrinsically harmful to the streetscene on the rear of a building in a row of architecturally undistinguished rear elevations with only limited similarities between them. I say this especially when views of the scene are likely to be limited to glimpses and often filtered by the intervening vegetation. The cladding would change the proportion of the dormers somewhat but I am satisfied that they would not become out of scale and it is apparent that there are a range of dormer types and sizes locally. The appeal property is not even symmetrical at roof level with the adjoining semi-detached house as things stand. The cladding proposed for the sides of the dormers is a more modest 50mm rather than the 100mm thickness for the main walls.

10. No special features or notable detailing of the house would be covered; the focus on these dwellings and the major contribution to the qualities of the Conservation Area stems from the front elevations. The cladding with the altered main roof form would sit comfortably at the rear. Deeper window reveals would result and there would be a projection evident, if one looked carefully, relative to the brickwork on the neighbouring dwelling. However these need not be over-riding concerns as the eye will be looking at the wider scene with its range of window types, shapes and sizes and the built context which includes elevational stepping. I also note that some windows are to be replaced and there would be an opportunity to position these more closely to the external plane; this is an approach offered by the appellant and one which could be dealt with via planning condition.
11. In this instance the evidence put forward for the energy improvement merits of external cladding of these parts of this particular building, which does not have cavity walls and would present major difficulties and costs to deal with via overall and equivalent insulation internally, is persuasive. There would be compliance with the objectives of PPS1: *Delivering Sustainable Development* and its supplement, cited by both principal parties, particularly in terms of seeking to tackle climate change. Furthermore the scheme would accord with UDP policy STR 13 which seeks development with a reduced overall demand for energy and UDP policy BE12 which calls for built forms and technologies to contribute to reduced energy consumption and associated emissions.
12. There would be no conflict with S72(1) of the Act; there would be preservation of the character and appearance of the Conservation area. The scheme would also accord with the UDP policies cited in paragraph 7 above. The Design Guide for the Conservation Area which sets itself against rendering or cladding cannot be expected to cover every eventuality and the restoration work proposed to, for example, the front elevation will fully accord with the guidance and make a positive contribution to the streetscene.
13. In my support for the proposal I bear in mind that the render finish for the cladding is available in a range of colours. Selection of a suitable colour, more muted than the stark white shown on some illustrations, is something that both principal parties have indicated as a matter to be potentially dealt with via condition. I consider that this approach would be appropriate and I turn to the question of conditions below.

Conditions

14. In addition to the standard three year commencement condition I shall, for the avoidance of doubt and in the interests of proper planning, include a condition requiring that the development would be carried out in accordance with listed, approved, plans.
15. The Council suggests a number of conditions. Access to external areas should be suitably controlled in the interests of protecting residential amenity for neighbours. The call for a landscape scheme is appropriate in the interests of visual amenity within this Conservation Area and for the same reason it is reasonable that details of all external materials be submitted and agreed. This latter element shall, for the avoidance of doubt, include the colour of proposed render. Photovoltaic panels on the front gable and roof-lights should be flush with the roof covering to protect the appearance of the building and the area.

16. As noted above, I shall add a condition requiring the submission of details of any new windows and for sectional plans to show their relationship to the external plane to be submitted in the interests of visual amenity.
17. To assist with conciseness and precision, and bearing in mind advice in Circular 11/95, I shall not in every instance use the same wording for conditions as put forward by the Council.

Overall conclusion

18. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the character and appearance of the host dwelling and the locality. Accordingly I shall allow the appeal.

D Cramond

INSPECTOR

SCHEDULE OF CONDITIONS:

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: B3.G20:- E02A, E03A, P00A, P01A, P02A, P03A, P-01A, P-02A, S01A & S02A and B5.G20:- E01D, E02E, E03E, E04B, P00G, P01F, P03F, P-01D & S01F
- 3) Access to the roof of the single storey extension shall be limited to the terrace area designated by railings and no access, other than for maintenance, shall be provided to the area identified as a 'wild flower meadow'.
- 4) The areas so designated within the site, including the green roofs and the front garden, shall be landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved. Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.
- 5) Notwithstanding the approved plans the photovoltaic panels on the front gable and the roof lights shall be detailed to be flush with the roof covering.
- 6) Details of materials for all external work, including hardstanding material for the front garden and colour of render for the elevations, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details and permanently retained as such thereafter.
- 7) Details of any new windows shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. Such details shall include sectional drawings to demonstrate the relationship of the window to the external elevation of the dwelling. The work shall be carried out in accordance with the approved details